



To the Honorable Council  
City of Norfolk, Virginia

July 19, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Change of zoning from R-6 (Single-Family) to conditional R-8 (Single-Family) at 421 Brockwell Avenue – DSF Development, LLC**

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved:

Marcus D. Jones, City Manager

Item Number:

**PH-8**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **5 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Change of zoning from R-6 to conditional R-8.
- IV. **Applicant:** DSF Development, LLC
- V. **Description:**
  - The site is located within the Glenrock neighborhood, on the west side of Brockwell Avenue between Bartee and Finney Streets.
  - This application will allow the site to be resubdivided, permitting two single-family homes where currently only one home is permitted under the R-6 zoning district.
    - Development of the two homes would require the existing home on the site to be demolished.
  - Given that the proposed rezoning will permit the construction of two single family homes on 50 foot wide lots, the proposed rezoning is consistent with *plaNorfolk2030*, which designates this site as single family traditional.
- VI. **Historic Resources Impacts**

The site is not located within a federal, state, or local historic district.
- VII. **Public Schools Impacts**
  - School attendance zones include Fairlawn Elementary School (82% utilization), Lake Taylor Middle School (95% utilization) and Booker T. Washington High School (62% utilization).
  - Approximately 1 school aged child could be generated by the proposed development (0.5 school aged children per unit).

- Given the low number of potential students and the existing school capacity, no significant school impacts are anticipated.

Staff point of contact: Chris Whitney at 823-1253, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

Attachments:

- Staff Report to CPC dated June 23, 2016 with attachments
- Proponents and Opponents
- Ordinance



**Planning Commission Public Hearing: June 23, 2016**

Executive Secretary: George M. Homewood, FAICP, CFM *GH*

Planner: Chris Whitney, CFM *CW*

Staff Report	Item No. <b>7</b>	
Address	<b>421 Brockwell Avenue</b>	
Applicant	<b>DSF Development, LLC</b>	
Request	<b>Conditional Change of Zoning</b>	<b>From R-6 (Single-Family) to conditional R-8 (Single-Family)</b>
Property Owner	Apolinario and Victoria Maninding	
Site Characteristics	Site Area	10,000 sq. ft.
	Future Land Use Map	Single Family Traditional
	Zoning	R-6
	Neighborhood	Glenrock
	Character District	Suburban
Surrounding Area	North	R-6: Single-family home
	East	R-6: Single-family home
	South	R-6: Single-family home
	West	R-6: Single-family home



#### **A. Summary of Request**

- The site is located within the Glenrock neighborhood, on the west side of Brockwell Avenue between Bartee and Finney Streets.
- This application will allow the site to be resubdivided, permitting two single-family homes where currently only one home is permitted.
  - Development of the two homes would require the existing home on the site to be demolished.

#### **B. Plan Consistency**

- *plaNorfolk2030* identifies this site as single family traditional.
  - The Identifying Land Use Strategies Chapter of *plaNorfolk2030* identifies the single family traditional land use category as a location for single family detached development characterized by houses set back a moderate distance from the street with driveways leading to rear garages on lots of 50 to 70 feet wide and approximately 4,000 to 7,500 square feet.
- Given that the proposed rezoning will permit the construction of two single family homes on 50 foot wide lots, the proposed rezoning is consistent with *plaNorfolk2030*.

#### **C. Zoning Analysis**

##### **i. General**

- The site is within the Glenrock neighborhood, an area developed with single-family homes.
- The site is currently zoned R-6, which requires a minimum lot width of 75 feet and a minimum lot size of 7,500 square feet.
- The applicant proposes to resubdivide the existing lot into two lots, each with 50 feet in width and 5,000 square feet in lot area.
- The proposed rezoning is appropriate for this area given that there is a mixture of R-6 and R-8 districts, with lot widths as large as 100 feet and as small as 25 feet, which is consistent with the lot sizes called for in *plaNorfolk2030*.

##### **ii. Parking**

The site is located in the Suburban Character district, which requires two off-street parking spaces per dwelling unit.

##### **iii. Flood Zone**

The property is located in the X (Low to Moderate) Flood Zone, which is a low-risk flood zone.

#### **D. Proffered Conditions**

- The applicant has voluntarily proffered the following two conditions:
  - The site shall be resubdivided and designed in accordance with the physical survey/conceptual site plan entitled, "Conceptual Plan Pending Proposed Rezoning of Lots 26, 27, 28, and 29, Block 20 Glenrock," prepared by *Hayden Frye and Associates, Inc. Land Surveyors*, dated May 3, 2016, attached hereto as "Exhibit A," subject to any



revisions required by the City to be made during the building permit plan review process.

- The homes to be developed on the site shall be the "Oakdale II-B, and Oakdale II-C," models as attached.
- These two proffered conditions apply to a "new residential development" and as such, if offered after July 1, 2016, could potentially be deemed to be "unreasonable proffers" under the 2016 amendments to section 15.2-2303.4 of the Code of Virginia.

**E. Transportation Impacts**

- Institute of Transportation Engineers figures estimate that the net addition of one new single family home on this site will generate 10 additional vehicle trips per day.
- Brockwell Avenue adjacent to the site is not an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan.

**F. Historic Resources Impacts**

The site is not located within a federal, state, or local historic district.

**G. Public Schools Impacts**

- School attendance zones include Fairlawn Elementary School (82% utilization), Lake Taylor Middle School (95% utilization) and Booker T. Washington High School (62% utilization).
- Approximately 1 school aged child could be generated by the proposed development (0.5 school aged children per unit).
- Given the low number of potential students and the existing school capacity, no significant school impacts are anticipated.

**H. Environmental Impacts**

The new houses will comply with all standards set forth in the *Zoning Ordinance*.

**I. AICUZ Impacts**

N/A

**J. Surrounding Area/Site Impacts**

Over the past year, there have been no calls for police service at this site.

**K. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**L. Civic League**

Notice was sent to the Glenrock Civic League on May 11.

**M. Communication Outreach/Notification**

- Legal notice was posted on the property on May 17.
- Letters were mailed to all property owners within 300 feet of the property on June 9.
- Legal notification was placed in *The Virginian-Pilot* on June 9 and June 16.

**N. Recommendation**

Staff recommends **approval** of the rezoning request subject to the proffered conditions.

**Attachments**

Location Map  
Future Land Use Map  
Zoning Map  
Application  
Proposed Elevations  
Notice to the Glenrock Civic League

## **Proponents and Opponents**

### **Proponents**

Bobby Feinman – Applicant  
4873 S. Oliver Drive, Suite 103  
Virginia Beach, VA 23455

Howard Smith, Jr.  
4098 Ivywood Drive  
Virginia Beach, VA 23462

### **Opponents**

None

Form and Correctness Approved

By

Office of the City Attorney

Contents Approved: CW

By

DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 421 BROCKWELL AVENUE FROM R-6 (SINGLE-FAMILY RESIDENTIAL) TO CONDITIONAL R-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 421 Brockwell Avenue is hereby rezoned from R-6 (Single-Family Residential) district to conditional R-8 (Single-Family Residential) district. The property which is the subject of this rezoning is more fully described as follows:

Property fronts 100 feet, more or less, along the western line of Brockwell Avenue beginning 75 feet, more or less, from the southern line of Finney Street and extending southwardly; premises numbered 421 Brockwell Avenue.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The site shall be resubdivided and designed in accordance with the physical survey/conceptual site plan entitled, "Conceptual Plan Pending Proposed Rezoning of Lots 26, 27, 28, and 29, Block 20 Glenrock," prepared by Hayden Frye and Associates, Inc. Land Surveyors, dated May 3, 2016, attached hereto and marked as "Exhibit A," subject to any revisions required by the City to be made during the building permit review process.
- (b) The homes developed on the site shall be consistent with the design elevations identified as the "Oakdale II-B" and "Oakdale II-C" models, as shown in "Exhibit B" attached hereto.

Section 3:- That the official Zoning Map for the City of



Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (1 page)

Exhibit B (2 pages)



Location Map

FINNEY STREET

DSF DEVELOPMENT, LLC

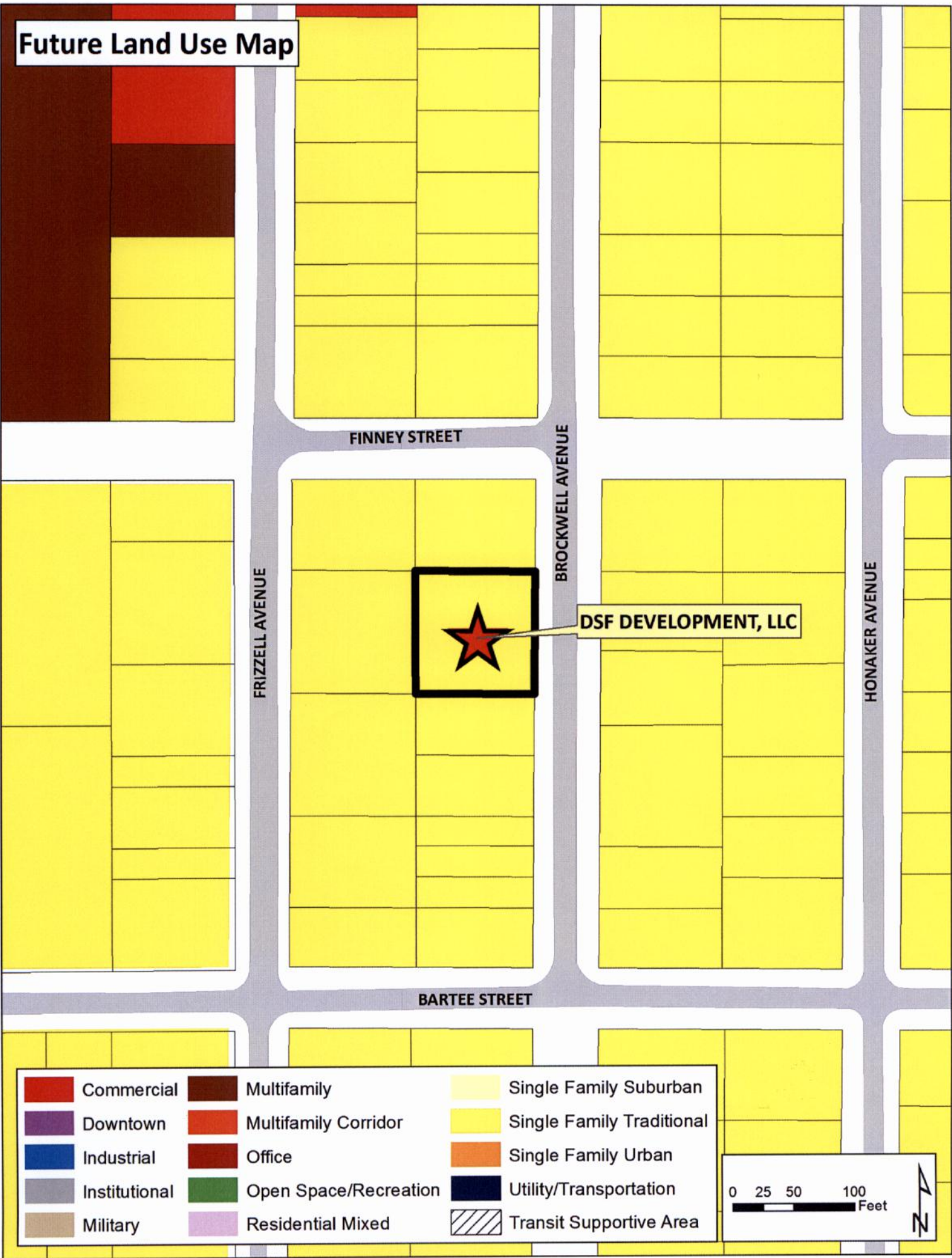
BROCKWELL AVENUE

0 10 20 40 Feet



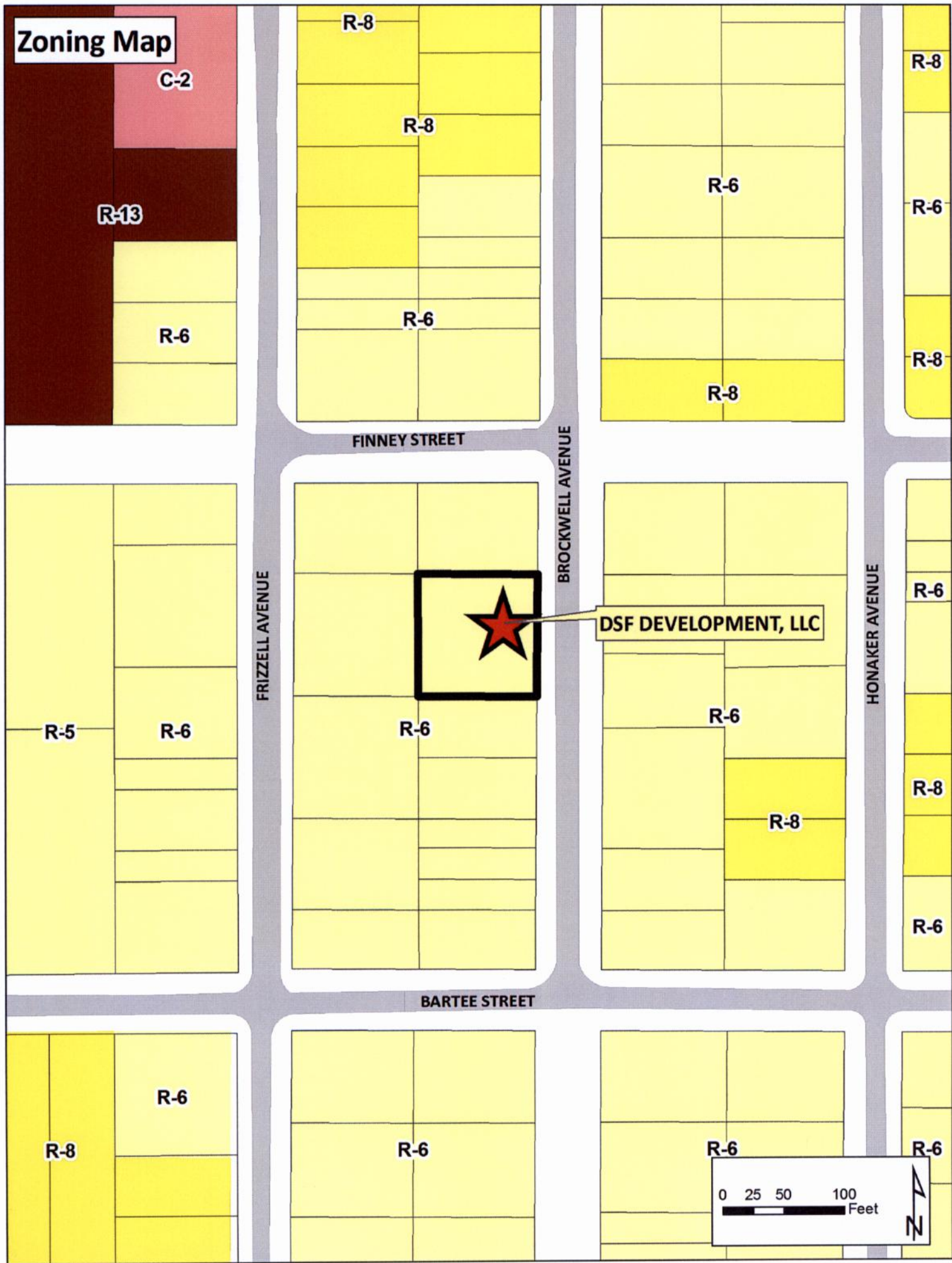


# Future Land Use Map





# Zoning Map





## APPLICATION CHANGE OF ZONING

Date of application: 5-6-16

### Change of Zoning

From: R-6 Zoning *conditional* To: R-8 Zoning

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 421 (Street Name) Brockwell Ave.

Existing Use of Property: Residential

Current Building Square Footage 792

Proposed Use Residential New Homes (2)

Proposed Building Square Footage 2000

Trade Name of Business (If applicable) \_\_\_\_\_

### APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) DSF Development, LLC (First) \_\_\_\_\_ (MI) ☐

Mailing address of applicant (Street/P.O. Box): 4873 S. Oliver Drive, Suite 103

(City) Virginia Beach (State) VA (Zip Code) 23455

Daytime telephone number of applicant ( 75 ) 241-5678 Fax ( 75 ) 333-4788

E-mail address of applicant: bobby@dsfdevelopment.com

### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**Application  
Rezoning  
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**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Smith (First) Howard (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 4873 S. Oliver Drive, Suite 103

(City) Virginia Beach (State) VA (Zip Code) 23455

Daytime telephone number of applicant (757) 241-5678 Fax (757) 333-4788

E-mail address of applicant: bobby@dsfdevelopment.com

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Maninding (First) Apolinario (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 421 Brockwell Ave

(City) Norfolk (State) VA (Zip Code) 23502

Daytime telephone number of owner ( )  email:

**CIVIC LEAGUE INFORMATION**

Civic League contact: David Hicks

Date(s) contacted: 5-6-16

Ward/Super Ward information: Ward 4/Paul Riddick, Superward 7/Angelia W. Graves



**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Howard Smith Sign: [Signature] 5/6/16  
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Robert Feinman Sign: [Signature] 5/6/16  
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: \_\_\_\_\_ Sign: \_\_\_\_\_ / /  
(Authorized Agent Signature) (Date)

**421 Brockwell Avenue**  
**Proffered Conditions**

1. The site shall be resubdivided and designed in accordance with the physical survey/conceptual site plan entitled, "Conceptual Plan Pending Proposed Rezoning of Lots 26, 27, 28, and 29, Block 20 Glenrock," prepared by *Hayden Frye and Associates, Inc. Land Surveyors*, dated May 3, 2016, attached hereto as "Exhibit A."
2. The homes to be developed on the site shall be the "Oakdale II-B, and Oakdale II-C," models as attached.

**Current Property Owner**

Print Name: \_\_\_\_\_

Sign: \_\_\_\_\_ Date: \_\_\_\_\_

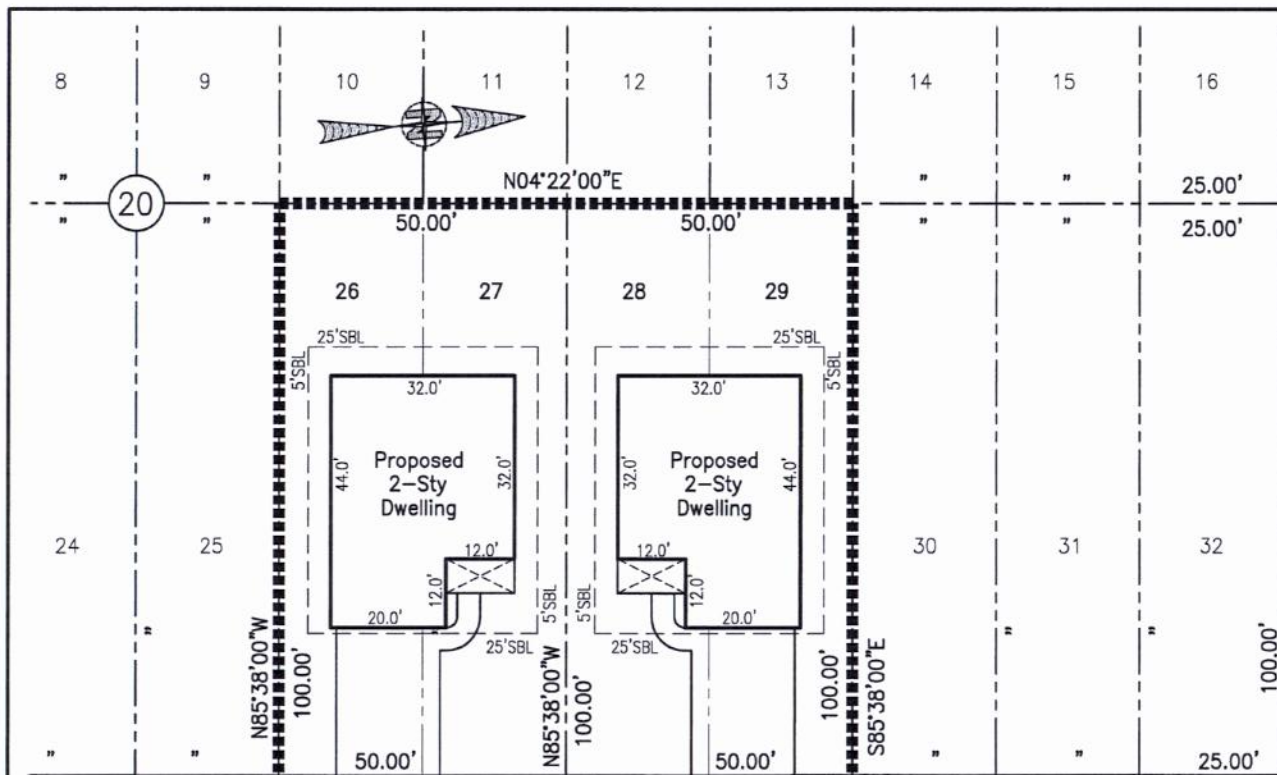
**Applicant/Authorized Agent**

Print Name: \_\_\_\_\_

Sign: \_\_\_\_\_ Date: \_\_\_\_\_







CURRENT ZONING: R-6  
 PROPOSED ZONING: R-8  
 BROCKWELL (50' R/W) AVENUE  
 CURRENT ZONING: R-6  
 PROPOSED ZONING: R-8



FINNEY (50' R/W) STREET

CONCEPTUAL PLAN PENDING PROPOSED REZONING OF LOTS 26, 27, 28 & 29 BLOCK 20 <b>GLENROCK</b> (M.B. 3, P. 135)	
NORFOLK  Hayden Frye and Associates, Inc. Land Surveyors 333 KELLAM ROAD, SUITE 200 VIRGINIA BEACH, VA, 23462 PH: (757) 491-7228 FAX: (757) 491-7229 RICHMOND, VA, PH: (804) 446-7084 EMAIL: hfy@haydenfrye.com	VIRGINIA PROJ NO. 180502 SHEET NAME: 1 OF 1 ACAD: 421 BROCKWELL SCALE: 1" = 25' DATE: May 3, 2018 COMMENTS:











## Whitney, Chris

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**From:** Straley, Matthew  
**Sent:** Wednesday, May 11, 2016 11:15 AM  
**To:** 'wewatchglenrock@live.com'  
**Cc:** Riddick, Paul; Williams, Angelia M.; Goldin, Jamie; Whitney, Chris  
**Subject:** new Planning Commission application - 421 Brockwell Ave  
**Attachments:** DSF Development.pdf

Mr. Hicks,

Attached please find the application for a change of zoning from R-6 (Single-Family) district to conditional R-8 (Single-Family) district at 421 Brockwell Avenue.

The purpose of this request is to allow for the construction of two single-family homes where only one is permitted under the current zoning district.

Staff contact: Chris Whitney at (757) 823-1253, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

Thank you.

Matthew Straley  
GIS Technician II

 THE CITY OF  
**NORFOLK**  
City Planning  
810 Union Street, Suite 508  
Norfolk, VA 23510  
757-664-4769

Connect with us:  
[www.norfolk.gov](http://www.norfolk.gov)

